

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

BIG LOTS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 24-11967 (JKS)

(Jointly Administered)

Re: D.I. 225 & 425

ORDER APPROVING STIPULATION RESOLVING THE MOTION OF SOUTHPOINT PLAZA, L.L.C. AND GKKI, L.L.C. (I) TO COMPEL DEBTORS TO IMMEDIATELY ASSUME OR REJECT A LEASE OF NON-RESIDENTIAL REAL PROPERTY; (II) COMPEL PAYMENT OF AN ADMINISTRATIVE EXPENSE CLAIM UNDER 11 U.S.C. § 503(b); AND (III) COMPEL DEBTORS TO COMPLY WITH THEIR OBLIGATIONS UNDER 11 U.S.C. § 365(d)(3)

Upon the *Motion of Southpoint Plaza, L.C.C. and GKKI, L.L.C. (I) To Compel Debtors To Immediately Assume or Reject a Lease of Non-Residential Real Property; (II) Compel Payment of an Administrative Expense Claim Under 11 U.S.C. § 503(b); and (III) Compel Debtors To Comply with their Obligations Under 11 U.S.C. § 365(d)(3) (D.I. 225) (the “Motion to Compel”)* and the *Stipulation Among Debtors, Southpoint Plaza, L.L.C. and GKKI, L.L.C. Regarding the Lease of Store #1314 (the “Stipulation”)*,² a copy of which is attached hereto as **Exhibit 1**; and the Court having determined that the agreement set forth in the Stipulation is in the

¹ The debtors and debtors in possession in these chapter 11 cases, along with the last four digits of their respective employer identification numbers, are as follows: Great Basin, LLC (6158); Big Lots, Inc. (9097); Big Lots Management, LLC (7948); Consolidated Property Holdings, LLC (0984); Broyhill LLC (7868); Big Lots Stores - PNS, LLC (5262); Big Lots Stores, LLC (6811); BLBO Tenant, LLC (0552); Big Lots Stores - CSR, LLC (6182); CSC Distribution LLC (8785); Closeout Distribution, LLC (0309); Durant DC, LLC (2033); AVDC, LLC (3400); GAFDC LLC (8673); PAFDC LLC (2377); WAFDC, LLC (6163); INFDC, LLC (2820); Big Lots eCommerce LLC (9612); and Big Lots F&S, LLC (3277). The address of the debtors’ corporate headquarters is 4900 E. Dublin-Granville Road, Columbus, OH 43081.

² Capitalized terms not defined herein shall have the meaning ascribed to them in the Stipulation.

best interests of the Debtors, their estates and creditors, and any parties in interest; and good and sufficient cause appearing therefor, **IT IS HEREBY ORDERED THAT:**

1. The Motion to Compel is resolved on the terms set forth herein and in the Stipulation.

2. The Stipulation is hereby approved.

3. The Debtors' Lease of the Property shall be rejected under section 365 of the Bankruptcy Code as of October 31, 2024, at 11:59 p.m. (prevailing local time), and the Debtors shall make reasonable efforts to provide utility services accounts and codes, and physically return the keys to the Landlord by October 31, 2024, at 11:59 p.m.

4. The Debtors shall timely pay rent pursuant to the Lease for the month of October 2024.

5. The Landlord shall waive any and all claims for "stub rent" under 11 U.S.C. § 503(b) and/or 11 U.S.C. § 365(d)(3) for the month of September 2024.

6. Nothing herein shall constitute a waiver or release of any pre-petition claim the Landlord may have, any claim of the Landlord that may arise should the Debtors fail to vacate the Property on or before October 31, 2024 or any claim of the Landlord for physical damages committed by the Debtors or its agents to the Property, and nothing herein shall act as a waiver of any of the Debtors' rights, defenses or otherwise related thereto.

7. This Court retains jurisdiction over all matters arising from or related to the implementation or interpretation of this Order.

8. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

9. The parties to the Stipulation are authorized to take all steps necessary or appropriate to carry out this Order.

Dated: October 7th, 2024
Wilmington, Delaware


J. KATE STICKLES
UNITED STATES BANKRUPTCY JUDGE